

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

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| ALEXAM, INC. | § | |
| Plaintiff | § | |
| | § | |
| v. | § | No. 2:13cv2 |
| | § | |
| BEST BUY STORES L.P. | § | |
| Defendant | § | |

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| ALEXAM, INC. | § | |
| Plaintiff | § | |
| | § | |
| v. | § | No. 2:13cv3 |
| | § | |
| BARNES & NOBLE, INC. AND | § | |
| BARNES & NOBLE MARKETING | § | |
| SERVICES, LLC | § | |
| Defendants | § | |

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| ALEXAM, INC. | § | |
| Plaintiff | § | |
| | § | |
| v. | § | No. 2:13cv4 |
| | § | |
| THE GAP, INC. AND DIRECT | § | |
| CONSUMER SERVICES, LLC | § | |
| Defendants | § | |

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| ALEXAM, INC. | § | |
| Plaintiff | § | |
| | § | |
| v. | § | No. 2:13cv5 |
| | § | |
| J.C. PENNEY COMPANY, INC. AND | § | |
| J.C. PENNEY CORPORATION | § | |
| Defendants | § | |

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| ALEXAM, INC. | § | |
| Plaintiff | § | |
| | § | |
| v. | § | No. 2:13cv6 |
| | § | |
| MCDONALD’S CORPORATION AND | § | |
| P2W, INC. NFP | § | |
| Defendants | § | |

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| ALEXAM, INC. | § | |
| Plaintiff | § | |
| | § | |
| v. | § | No. 2:13cv7 |
| | § | |
| TOYS “R” US – DELWARE, INC. AND | § | |
| TRU-SVC, LLC | § | |
| Defendants | § | |

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| ALEXAM, INC. | § | |
| Plaintiff | § | |
| | § | |
| v. | § | No. 2:13cv8 |
| | § | |
| THE HOME DEPOT, U.S.A., INC. AND | § | |
| HOME DEPOT INCENTIVES, INC. | § | |
| Defendants | § | |

ORDER

The above-referenced causes of action have been referred to the undersigned for pre-trial purposes in accordance with 28 U.S.C. § 636. Before the Court is the following pending motion: Defendants’ Opposed Motion to Establish the Order of Proof (Docket Entry # 118). The Court, having carefully considered the motion and the response, is of the opinion the motion should be

GRANTED.

The consolidated invalidity trial scheduled to begin on April 29, 2013 shall proceed according to the following agenda.

1. Defendants – Voir Dire
2. Plaintiff – Voir Dire
3. Defendants – Opening Statement
4. Plaintiff – Opening Statement
5. Defendants – Evidence regarding invalidity
6. Plaintiff – Evidence regarding invalidity
7. Defendants – Rebuttal evidence regarding invalidity
8. Defendants – Closing Argument
9. Plaintiff – Closing Argument
10. Defendants – Rebuttal Closing Argument

IT IS SO ORDERED.

Apr 10, 2013


CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE